

Dr. Ambedkar with the Simon Commission (Indian Statutory Commission)

STATEMENT "C"

**concerning the safeguards for the protection of the interests of
the Depressed Classes as a minority in the Bombay Presidency
and the changes in the composition of and the guarantees from the
Bombay Legislative Council necessary to ensure the same under
Provincial Autonomy**

submitted by

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on behalf of the
Bahishkrita Hitakarini Sabha
(Depressed Classes Institute of Bombay)

to the
Indian Statutory Commission

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Damodar Hall
Parel, Bombay-12
INDIA

1. Protection through adequate Representation

1. *Preliminary*—The Sabha feels relieved of great anxiety by the decision of Parliament not to appoint an Indian on the Statutory Commission. The agitation for the appointment of an Indian would have been proper if the Commission had to consider a common Indian demand for self-government. But the fact is that the Commission shall have to consider not one demand, but a variety of demands made by the different interests prevailing in the country. That being the case the agitation should have been for a representation of all such interests on the Commission. The Sabha desires to point out that nothing could have

satisfied the Depressed Classes better than the appointment of Indians representing various interests in the country, including their own, on the Statutory Commission. The demand for representation on the Statutory Commission was not, however, of such a nature and the Sabha, therefore, could not feel at one with those who urged it. The Sabha, it is true, did not agitate as it should have done, in conformity with its own views, for the representation of the Depressed Classes on the Commission. But that was because the Sabha felt that it was too much to hope for in a country where those in charge of the affairs from the Viceroy downwards have cultivated the habit of recognising the noisy few and forgetting the dumb millions. To use the language of Burke, because half a dozen politicians, like grasshoppers under a fero, make the field ring with their importunate chink, whilst the masses, like thousands of great cattle, are reposing beneath the shadow of the oak, chew the cud and are silent, the Government of India imagines that the politicians who make the noise are the only inhabitants of the field—that, of course, they are many in number.— or that, after all, they are other than the little, shrivelled, meagre, hopping, though loud and troublesome insects of the hour. But there was also another reason why the Sabha did not press for its views. In the opinion of the Sabha this exclusion of Indians from the Statutory Commission was no small mercy to the Depressed Classes. For, by their non-appointment the Depressed Classes are, at any rate, saved the prejudice that would have otherwise been caused to their case, which the Sabha has hereby undertaken to place before the Commission.

2. *Injustice done to the Depressed Classes in 1919.*—The Montague Chemsford Report recognised fully (para. 151) that the existence of the social differences and divisions formed " a feature of Indian Society which is out of harmony with the ideas on which elsewhere in the world representative institutions rest " and the authors of the Report (para. 153) held that they "have to be taken into account and they must lead us to adjust the forms of popular Government familiar elsewhere to the special conditions of Indian life." In accordance with this, the authors of the Report, in order to pacify the Depressed Classes who had stoutly opposed the introduction of the Reforms, undertook to safeguard their interests as will be seen from the following statement in paragraph 155 of their Report in which they say : "We have shown that the political education of the Ryot cannot be very rapid and may be a very difficult process. Till it is complete he must be exposed to the risk of oppression by people who are stronger and cleverer than he is; and until it is clear

that his interests can safely be left in his own hands or that the Legislative Council represent and consider his interests, we must retain power to protect him. *So with the Depressed classes, we intend to make the best arrangements we can for their representation in order that they too may ultimately learn the lesson of self-protection.* But if it is found that their interests suffer and that they do not share in the general progress, we must retain the means in our hand of helping them....."

3. The Sabha regrets that all these promises were thrown to the wind by the Southborough Committee which was subsequently appointed to devise franchise, frame constituencies and to recommend what adjustments were needed to be made in the form of the proposed popular Government as a consequence of the peculiar social conditions prevalent in India. So grossly indifferent was the Southborough Committee to the problem of making adequate provision for safeguarding the interests of the Depressed classes that even the Government of India which was not over-particular in this matter felt called upon in paragraph 13 of their Despatch on the Report of the Southborough Committee to observe : " We accept the proposals (for nonofficial nomination) generally. But there is one Community whose case appears to us to require more consideration than the Committee gave it. The Report on Indian Constitutional Reforms clearly recognised the problem of the Depressed classes and gave a pledge respecting them. The castes described as 'Hindus—others' in the Committee's Report though they are defined in varying terms, are broadly speaking all the same kind of people. Except for differences in the rigidity of their exclusion they are all more or less in the position of the Madras *Panchamas*, definitely outside that part of the Hindu Community which is allowed access to their temples. They amount to about one-fifth of the total population, and have not been represented at all in the Morley-Minto Councils. *The Committee's Report mentions the Depressed Classes twice, but only to explain that in the absence of satisfactory electorates they have been provided for by nomination. It does not discuss the position of these people or their capacity for looking after themselves. Nor does it explain the amount of nomination which it suggests for them. Paragraph 24 of the Report (of the Franchise Committee) justifies the restrictions of the nominated seats on grounds which do not suggest that the Committee were referring to the Depressed Classes.* The measure of representation which they propose for this Community is as follows :

| | Total | Population of | Total seats | Seats for the |
|--|-------|---------------|-------------|---------------|
|--|-------|---------------|-------------|---------------|

| Province | population in millions | Depressed classes in Millions | | Depressed classes |
|-------------------|------------------------|-------------------------------|------|-------------------|
| Madras | 39.8 | 6.3 | 120 | 2 |
| Bombay | 19.5 | 0.6 | 113 | 1 |
| Bengal | 45.0 | 9.9 | 1.27 | 1 |
| United Provinces | 47.0 | 10.1 | 120 | 1 |
| Punjab | 19.5 | 1.7 | 85 | |
| Bihar and Orissa | 32.6 | 9.3 | 100 | 1 |
| Central Provinces | 12.0 | 3.7 | 72 | 1 |
| Assam | 6.0 | 0.3 | 54 | |
| Total | 221.4 | 41.9 | 791 | 7 |

" These figures speak for themselves. It is suggested that the one-fifth of the entire population of British India should be allotted seven seats out of practically 800. It is true that in all the Councils there will be roughly a one-sixth proportion of officials who may be expected to bear in mind the interests of the depressed (?); but that arrangement is not, in our opinion, what the Report on Reforms aims at. The authors stated that the Depressed Classes should also learn the lesson of self-protection. It is surely fanciful to hope that this result can be expected from including a single member of the Community in an Assembly where there are 60 to 90 Caste-Hindus. To make good the principles of paragraphs 151, 152, 154 and 155 of the Report we must treat the out-castes more generously....."

4. The Sabha feels happy that it is not alone in its opinion as to the injustice done to the Depressed Classes by the framers of the Reforms Scheme of 1919. This opinion was also shared by the Muddiman Committee which was appointed two years afterwards to report upon the possibility of improving and enlarging the scheme of Reforms. That Committee admitted in its Report (Paragraph 64) that the representation granted to the Depressed Classes under the Scheme was inadequate.

5. *Extent of Representation that must be granted to the Depressed classes.*—What then should be the extent of the representation of the Depressed Classes which can be said to be adequate ? In the opinion of the Sabha the following scheme for the composition of the Legislative Council of Bombay assuming that Sind will be separated from the Presidency may be deemed to satisfy the demand of the Depressed Classes for adequate representation:

Composition of the Bombay Legislative Council

FOR

1. BOMBAY PRESIDENCY WITHOUT SIND

| | Constituencies | Total No. of seats | Reserved for the Depressed classes | Reserved for Mohamedans | Reserved for Marathas and allied castes |
|----|------------------------|--------------------|------------------------------------|-------------------------|---|
| | GENERAL | | | | |
| | (a) URBAN | | | | |
| 1 | Bombay City North | 5 | 1 | 1 | |
| 2 | Bombay City South | 3 | | | |
| 3 | Ahmedabad City | 3 | 1 | 1 | |
| 4 | Surat City | 1 | | | |
| 5 | Sholapur city | 3 | 1 | 1 | |
| 6 | POONA | 1 | - | - | Same as now |
| | (b) Rural | | | | |
| | Northern Division | | | | |
| 7 | Ahmedabad District | 5 | 1 | 1 | |
| 8 | Broach District | 4 | 1 | 1 | |
| 9 | Kaira District | 5 | 1 | 1 | |
| 10 | Panchmahals District | 4 | 1 | 1 | |
| 11 | Surat District | 5 | 1 | 1 | |
| 12 | Thana District | 5 | 1 | 1 | |
| | Central Division | | | | |
| 13 | Ahmednagar District | 5 | 1 | 1 | |
| 14 | Khandeah East District | 6 | 1 | 1 | |
| 15 | Khandesh West District | 5 | 1 | 1 | |
| 16 | Nasik District | 5 | 1 | 1 | |
| 17 | Poona District | 6 | 1 | 1 | |
| 18 | Satara District | 6 | 1 | 1 | |
| 19 | Sholapur District | 5 | 1 | 1 | |
| | Southern Division | | | | |
| 20 | Belgaum District | 5 | 1 | 1 | |
| 21 | Bijapur District | 5 | 1 | 1 | |
| 22 | Dhanvar District | 6 | 1 | 1 | |
| 23 | Kanara District | 4 | 1 | 1 | |
| 24 | Kolaba District | 4 | 1 | 1 | |
| 25 | Ratnagiri District | 6 | 1 | 1 | |
| | Total of General | 112 | 22 | 22 | |
| | II. SPECIAL | | | | |
| 26 | Labour Unions | 4 | | | |
| 27 | University | 3 | | | |
| 28 | Europeans | 4 | | | |
| 29 | Mi Ilowners | 2 | | | |
| 30 | Commerce | 1 | | | |
| 31 | Agriculture | 3 | | | |
| 32 | Inamdars | 1 | | | |

| | | | | |
|----|--------------------|------------|--|--|
| 33 | Officials | 9 | | |
| | Total of Special | 28 | | |
| | Grand Total | 140 | | |

which should be the strength of the Bombay Legislative Council.

6. In case it is decided to keep Sind as part of the Bombay Presidency the Sabha would like to propose the following scheme for the composition of the Bombay Legislative Council :

Composition of the Bombay Legislative Council

II. BOMBAY PRESIDENCY WITH SIND

| | | | | |
|---------------------|--------------------------|-----|--|--|
| 42 | Thar and Parkar District | 2 | | |
| 43 | Nawabshah District | 2 | | |
| 44 | Upper Sind Frontier | 2 | | |
| | Total | 30 | | |
| III. SPECIAL | | | | |
| 45 | Labour Unions | 4 | | |
| 46 | University | 2 | | |
| 47 | Europeans | 4 | | |
| 48 | Millowners | 1 | | |
| 49 | Commerce | 1 | | |
| 50 | Agriculture | 1 | | |
| 51 | Inamdars and Jaghirdars | 2 | | |
| 52 | Officials | 9 | | |
| | Total for Special | 24 | | |
| | Grand Total | 140 | | |

which should be the total strength of the Council.

7. In either case the demand of the Sabha is for 22 representatives of the Depressed classes in a Council composed of 140 members. The Sabha desires to state emphatically that this much representation to the Depressed classes in a Council of 140 is only just. The Sabha is aware that some people are likely to call such a demand as a very large one. Such a view must however be deemed to be the result of prejudice against the Depressed classes. It cannot be said to be founded upon any definite reason. The Sabha thinks that an exact idea as to the population of the Depressed classes would be a sufficient corrective to views of this sort. *For, it must be admitted that population is a measure by which to evaluate the representation that is to be granted to any community.* The computation of the exact strength of the Depressed classes is therefore a matter of considerable importance. The Depressed classes of the Bombay Presidency have already suffered an injustice at the hands of the Southborough Committee in 1919. That Committee gave in its Report a grossly wrong figure## as to the exact strength of the Depressed classes in the Bombay Presidency—a figure which was absolutely unwarranted by the Census of 1911. (##The figure given by the

Southborough Committee and adopted by the Government of India in the Table given above was 577,516. According to the authority relied upon by the Southborough Committee the population of the Depressed classes in the Bombay Presidency in 1911 was 2,145,208)

So small was the strength of the Depressed classes shown by the Southborough Committee that even the paltry suggestion of the Government of India to give two representatives to the Depressed classes in the Bombay Legislative Council failed to have any effect. Similar attempt is now being made in responsible quarters to whittle down the population of the Depressed classes. For instance, Mr. Bajpai speaking on behalf of the Government of India in the Legislative Assembly on the 23rd February 1928 said "that the population of the Depressed classes in India was much exaggerated and that the real strength of the Depressed classes was only 28 1/2 millions and not 60 millions " as used to be stated theretofore. The Sabha fears that the Commission may fall into the same error in which the Southborough Committee fell and may in consequence make proposals based upon such erroneous calculation. The Sabha therefore desires to draw the attention of the Commission to what the Director of the Census of India has to say in this connection. In Chapter XI of Volume I of the Census of India 1921 the Director observes:

" Paragraph 193. It has been usual in recent years to speak of a certain section of the community as the ' Depressed classes '. So far as I am aware the term has no final definition, nor is it certain exactly whom it covers. In the Quinquennial Review of the Progress of Education from 1912 to 1917 (Chapter XVIII paragraph 505), the Depressed classes are specifically dealt with the point of view of educational assistance and progress, and in Appendix XIII to that Report a list of the castes and tribes constituting this section of the community is given. The total population classed according to these lists as depressed amounted to 31 million persons or 19 p.c. of the Hindu and Tribal population of British India. There is undoubtedly some danger in giving offence by making in a public report social distinctions which may be deemed invidious; but in view of the lists already prepared and the fact that the ' depressed ' have especially in South India, attained a class consciousness and a class organization, are served by special missions, ' raised ' by philanthropic societies and officially represented in the Legislative Assemblies, it certainly seems advisable to face the facts and to attempt to obtain some statistical estimate of their numbers. I. therefore, asked Provincial Superintendents to let me have an estimate based on Census figures of

the *approximate* strength of the castes who were usually included in the category of 'depressed'. I received lists of some sorts from all Provinces and States except the United Provinces, whose extreme delicacy of official sentiment shrank from facing the task of attempting even a rough estimate. The figures given are not based on exactly uniform criteria, as a different view is taken of the position of the same group in different parts of India, and I have had in some cases to modify the estimate on the basis of the figures in the educational report and of information from the 1911 reports and tables. *They are also subject to the general defect which has already been explained, that the total strength of any caste is not recorded.* The marginal statement [reproduced below] gives, however, a rough estimate of the *minimum* numbers which may be considered to form the 'depressed classes' of the Hindu Community. The total of these provincial figures adds up to about 53 millions. *This, however, must be taken as a tow and conservative estimate since it does not include (1) the full strength of the castes and tribes concerned and (2) the tribal aborines most recently absorbed in Hinduism, many of whom are considered impure. We may confidently place the numbers of the depressed classes, all of whom are considered impure, at something between 55 and 60 millions in India proper....."*

POPULATION OF THE DEPRESSED CLASSES IN INDIA

| <i>Provinces</i> | 000's omitted |
|------------------|---------------|
| Total | 52,680 |
| Assam | 2,000 |
| Bengal | 9,000 |
| Bihar and Orissa | 8,000 |
| Bombay | 2,800 |
| C. P. and Berar | 3,300 |
| Madras | 6,072 |
| Punjab | 2,893 |
| U. P. | 9,000 |
| Baroda | 177 |
| Central India | 1,140 |
| Gwalior | 500 |
| Hyderabad | 2,339 |
| Mysore | 932 |
| Rajputana | 2,267 |

| | |
|------------|-------|
| Travancore | 1,260 |
|------------|-------|

8. This cautious and considered estimate of the Director of Census must supersede all guesses and surmises regarding the strength of the Depressed classes in the different Provinces of India. It destroys the validity of the estimate of Mr. Bajpai. For, it has been arrived at after scrutinizing the figures that have appeared in the Provincial Educational Reports which Mr. Bajpai says have formed the basis of his statement. Its correctness must be admitted. For, as the Director says it was arrived at after a deliberate investigation. The Sabha must therefore insist upon the Statutory Commission accepting these figures in preference to any other. According to this estimate the *minimum strength of the Depressed classes in the Bombay Presidency is 28,00,000 souls or 10.8 p.c. of the total population. On the basis of their strength alone the Depressed classes are entitled to 15 seats out of a total of 140.*
9. If the strength of a community was the only factor governing the extent of the representation to be granted to it, then the demand for the seven extra seats for the depressed classes would no doubt appear to be one for an unearned increment. *It must however be recognised that the strength of the community cannot be taken as the sole factor in determining matters of this sort. The standing of a community is no less an important factor to be taken into account in determining its quota of representation.* The standing of the community must mean its power to protect itself in the social struggle. That power would obviously depend upon the educational and economic status of the community. It follows from the recognition of the principle that *the lower the standing of a community the greater is the electoral advantage it must get over the rest.* There can be no two opinions that the standing of the Depressed classes both educational and economical is the lowest in this Presidency. Consequently they are entitled to some electoral advantage over what they are entitled to on the basis of their strength. This electoral advantage must be greater in the case of the Depressed classes than in the case of any other community of equal strength and standing; because no community can be said to form a submerged class in the same sense in which the Depressed classes do. Nor can any class be said to be burdened with those grave disabilities which form the common lot of the Depressed classes and which prevent them from rising above their degraded station in life. This is one reason why the Sabha feels justified in asking for this increment in representation. There is also

another reason which the Sabha thinks must justify the extra representation claimed by it for the Depressed classes. The representation of a minority, if it is to protect the minority, must also be effective. If not, it would be a farce. To escape this reproach it must be recognised that *if a minority is to be protected then there must be enough representatives of the minority to save it from being entirely submerged.* To put the same thing in the form of a proposition, the effectiveness of a minority representation depends upon its being large enough to have the sense of not being entirely overwhelmed. In claiming this extra representation the Depressed classes, the Sabha thinks, are entitled to invoke this principle in their favour, in common with the rest of the minorities in the country.

10. *Necessity for impartial treatment of all minority communities*—These principles governing the extent of representation are those which have been laid down by the Government of India in their despatch reviewing the Report of the Southborough Committee. The Sabha desires to point out that the case of the Depressed classes was more deserving of the application of such principles than that of any other community that could have been thought of in the whole of India. In practice, however, the benefit of these principles was rigorously denied to the Depressed classes all throughout India and was literally showered upon a community like the Mohammedans holding a stronger and better position in the country than can be predicated of the Depressed classes. To point out one such instance of unequal treatment the Sabha would invite the attention of the Commission to the two following cases:—

| Provinces | Muslim Population | Seats for Moslems | Depressed classes population | Seats for Depressed classes |
|-------------------|-------------------|-------------------|------------------------------|-----------------------------|
| Central Provinces | 574,276 | 1 | 3,060,232 | 2 |
| Bombay Presidency | 1,207,443 | 7 | 1,627,980 | 1 |

Howsoever indignant one may feel over the perpetration of such injustice to the Depressed classes the Government of India does not blush at it. For, it had avowedly enunciated those principles for the very limited purpose of applying them to the Mohammedans only. This was due, as everyone knows, to the distinction the Government of India made in the political importance of the different communities. The Sabha protests against this grading of the citizens of a country on the basis of their political importance. There can be no safe and secure rule except the one that all

communities are politically of equal importance. This invidious distinction is at the root of all the communal troubles and is destructive of the principle of equal opportunity. The introduction of this principle in the governance of India at the time when the 1st instalment of Reforms was granted by Parliament was disastrous to the interests of the Depressed classes. The Sabha is glad to find the present Secretary of State recognising the existence of the Depressed classes as a problem for serious consideration in the decision that may now be taken with regard to the enlargement of the scope of the Political Reforms already introduced. But the Sabha is anxious to point out that such recognition would be of no consequence to the Depressed classes if it is not reflected in the changes that may now be introduced into the framework of the constitution of the country.

11. *Mode of representation.*—The Sabha is opposed to the principle of nomination and would insist upon the extension of the principle of election to the Depressed classes. Election is not only correct in principle from the standpoint of responsible Government, but is also necessary in practice from the standpoint of political education. Every community must have an opportunity for political education which cannot well be secured otherwise than by the exercise of the vote. It must be regarded as unfortunate that the Depressed classes who need such education, more than any other community, should be denied an opportunity to take their share in the rapidly developing political life of India. There is also another reason why election in the case of the Depressed classes is a necessity. Ministership is a very important privilege and the Depressed classes cannot afford to forego the same. No great benefit can come to them from the introduction of Political Reforms unless they can find a place in the Cabinet of the country, from where they can influence the policy of the Government. This opportunity will be denied to them so long as they are denied the opportunity of electing their own representatives. For, under responsible Government nominated members must continue to be ineligible for office. A system of representation like that of nomination which deprives the Depressed classes of this right must stand self-condemned.
12. Two objections are usually urged against the application of the principle of election to the Depressed classes.
 - (a) *Difficulty in forming constituencies.*—This objection, the Sabha thinks, must be ruled out of serious consideration as not being honest. It! difficulty in the matter of forming constituencies was a consideration which led Government to prefer nomination to election in the matter of

the representation of the Depressed classes, it is difficult to understand how the Government ventured to apply the principle of election to the Moslems and the Europeans. These communities are not less scattered than the Depressed classes and no constituencies can be formed for them including the existing one, which cannot be condemned as absurd from a logical point of view. All the same, the Government of Bombay did abandon its aesthetic sense and undertook to form as symmetrical constituencies for these communities when it found impossible to form symmetrical ones. All these difficulties in regard to the formation of the constituencies for the Depressed classes are, however, set at rest under the scheme of representation outlined by the Sabha. The problem being thus simplified, no objection ought now to be raised for the substitution of the principle of nomination by the principle of election.

(b) *Difficulty in getting a sufficiently large electorate.*—Will there be a sufficient number of electors in any constituency to make the election of the Depressed classes to the Council a real election? By way of pointing out a difficulty in substituting election for nomination this question is usually raised and answered in the negative. The difficulty would no doubt be there if it is decided that the existing pitch of the franchise is not to be touched and so long as the pitch continues where it now is, the Sabha must admit that the number of electors among the Depressed classes will be very few. But the Sabha thinks that the existing pitch of the franchise is unjustifiable on every ground. It has turned responsible Government into a mockery. It means a Government of the whole Presidency of two crores of people by a minority of seven lakhs who happen to have the good fortune of being voters under the existing franchise. Such a state of things is clearly vicious and cannot be allowed to continue in future, if there is to be responsible Government, not merely in name but also in fact. It is to be regretted that the question of franchise does not seem to have been adequately pressed by the class that is most vocal in demanding Reforms. Democracy is alleged to be the aim of that class, but if the truth be told, in the words of the Government of Burma, " they are in favour of democratic institutions mainly because they are making an appeal to a democratic nation. They could not very well call for democracy and leave the *Demos* out. Their chief interests in the Reforms is centered in the powers that they expect to gain over the executive. The broad franchise and responsible voting in its true sense by the rural electors is not at all the central idea of their demand. As long as their own class will furnish the Legislative Councillors who will exercise the desired control, it is immaterial to them

whether these represent few or many voters." Whether or not this is the correct diagnosis of the difference of the Indian politicians to the important question of franchise, the fact remains that the question of franchise occupies in Congress politics a very subordinate place as compared to the question of the transfer of powers. In the opinion of the Sabha, this attitude of the Congress politicians is a reversal of the true relationship between the question of the franchise and the question of transfer of power. It must be admitted that the dictum of the Government of India that the forces which now hold the administration together cannot be withdrawn before satisfactory substitutes are ready to take their place, must find acceptance in all quarters which are willing to look at things from a proper perspective. Now these substitutes must obviously be the electors; it follows therefore that the degree and the kind of responsibility which can be introduced into the Government of the country will depend upon the strength of the electors. So vital is this question of the franchise that upon its determination alone can depend the degree of the transfer of political power. What should be the franchise is therefore a most important question. In the way in which it is determined at present the Sabha wishes to point out that the principle aim of representative Government has been lost sight of altogether. *Franchise means the right to determine the terms of associated life.* Franchise can mean nothing else. If that is the meaning of franchise, then it follows that it should be given to those who by reason of their weak power of bargaining are exposed to the risk of having the terms of associated life fixed by superior forces in a manner unfavourable to them. If this is true, then the very exigencies of representative Government demand that the franchise, if the term is properly understood, must be fixed so low as to bring it within the reach of the large majority of the poor and the oppressed sections of society. Indeed adult franchise is the only system of franchise which can be in keeping with the true meaning of that term. The Sabha would, however, be content if the franchise for the Legislative Council is fixed at the same level as that for the Taluka Local Board in the rural parts and Rs. 3 rental per month in urban parts of the Presidency. The fear often entertained on the part of the Government that such a lowering of the franchise will bring in a large part of unintelligent people is without foundation. Large property is not incompatible with ignorance. Nor is abject poverty incompatible with high degree of intelligence. Property may as well dull the edge of intelligence. On the other hand poverty does and often must stimulate intelligence. Consequently the adherence of the Government

to a high property qualification as an insurance against ignorance is nothing but a superstition, which is sedulously cultivated by the classes and fostered by the Government in order to deprive the masses of their right to the making of their Government.

13. *System of Election.*—Free election in general constituencies is, in the opinion of the Sabha, out of the question so far as the Depressed classes are concerned. On the other hand the Sabha does not wish to ask for Communal electorates. In its opinion, it would be sufficient if the Depressed classes are provided with reserved seats in the general constituencies. In the case of the candidates for election from the Depressed classes the Sabha would urge the total abandonment of the residential qualification and a partial relaxation in the condition as to deposit.
14. *Representation in the Assembly.*—The Sabha respectfully protests against the non-recognition of the right of the Depressed classes in the Legislative Assembly in 1919. The Government of India is still supreme in important matters which are directly under its control or under the Reserved half of the Provincial Governments. Even in respect of the Transferred subjects it continues to have the power of superintendence. It is, therefore, obvious that in the direction of such large powers the Depressed classes should have some voice and the Sabha would, therefore, claim that three members from the Depressed classes of the Bombay Presidency should be elected to the Legislative Assembly by their representatives in the Local Legislative Council.

II. Protection through Guarantees

15. In addition to the demand for adequate representation the Sabha feels that it must also demand the inclusion of clauses in the constitution of the country and as a fundamental part thereof guaranteeing the civil rights of the Depressed classes as a minority in the Bombay Presidency. Such guarantees must cover the recognition of the following propositions concerning the interests of the Depressed classes :—
 - (1) That the education of the Depressed classes shall be recognised as the first charge on the revenues of the Province and that an equitable and just proportion of the total grant for education should be earmarked for the benefit of the Depressed classes.
 - (2) That the right of the Depressed classes to unrestricted recruitment in the army, navy, and the police shall be recognised without any limitation as to caste.
 - (3) That for a period of 30 years the right of the Depressed classes for priority in the matter of the recruitments to all posts, gazetted as well

as non-gazetted in all civil services shall be recognised.

- (4) That the right of the Depressed classes to the appointment of a special inspector of police from amongst themselves for every District shall be recognised.
- (5) That the right of the Depressed classes to effective representation (as defined above) on the Local Bodies shall be recognised by the Provincial Government.
- (6) That the right of the Depressed classes to appeal to the Government of India in cases of violation of these rights by the Provincial Government shall be recognised and the Government of India shall be given the power to compel the Provincial Government to conform to the law in the matter.

16. *Justification of such guarantees.*—It may be argued that as the Depressed classes have been given adequate representation in the Council, there can be no danger to their rights, as there can be in the case of an unrepresented minority. Why then should there be these guarantees ? The Sabha demurs to this much faith in the efficacy of a representative form of Government to effectively protect a minority from the tyranny of the majority. In this connection the Sabha would like to invite the attention of the Commission to the views of John Stuart Mill who has observed that " the notion that the people have no need to limit their power over themselves, might seem axiomatic, when popular Government was the thing only dreamt about or read of as having existed at some distant period of the past..... It was now perceived that such phrases as self-government, and the power of the people over themselves, do not express the true state of the case. The people who exercise the power are not always the same people with those over whom it is exercised; and the self-government spoken of is not the government of each by himself, but of each by all the rest. The will of the people, moreover, practically means the will of the most numerous or the most active *part* of the people, the majority or those who succeed in making themselves accepted as the majority; the people, consequently, may desire to oppress a part of their number; and precautions are as much needed against this, as against any other abuse of power. The limitation, therefore, of the power of Government over individuals loses none of its importance when the holders of power are regularly accountable to the community, that is to the strongest party therein. This view of things, recommending itself equally to the intelligence of thinkers and to the inclination of those important classes in European Society to whose real or supposed interests democracy is

adverse, has had no difficulty in establishing itself; and in political speculations the tyranny of the majority is now generally included amongst the evils against which the Society requires to be on its guard."

17. From this it is obvious that representative Government cannot altogether do away with the necessity of such guarantees for the protection of the interests of the minorities in a nation. Indeed it may safely be asserted that a representative form of Government far from being a means of affording protection to the minorities must be deemed to be so very inadequate for that purpose that its introduction without a system of guarantees being made a part thereof was looked upon as a most dangerous experiment. The postwar history of Europe abounds in such cases. The peace treaties between the allied powers and Zechoslovakia, Austria, Hungary, Rumania and the Polish German Convention relating to Upper Silesia with their guarantee clauses for the benefit of the minorities bear eloquent testimony to the fact that the minorities cannot depend upon the representative form of Government but must seek protection in the form of guarantees of their rights.
18. If representative Government is so weak when operating among European peoples, where the secularisation of politics has gone far further, how much weaker must it be in India where politics is nothing but theology in action. It is this theology against which the Depressed classes must seek to be protected. How destructive is this theology of true citizenship has nowhere been described so well as in the Note by the Hon'ble Sir Alexander Cardew, K.C.S.I., I.C.S., to the Government of India contained in the letter No. 1146 (Reforms) dated the 31st December 1918. The following extracts are made from that Note :
 - " 2. It may first be asked whether the democratic idea is in accordance with the prevailing philosophy of the people of India. The fundamental principle of the modern democratic State is the recognition of the value of the individual and the belief that as each individual has but one life, full opportunity should be accorded to each to attain his maximum development in that life. Neither of these propositions is accepted in the current philosophy of India. This rather holds that the present life is for each only one of a series of existences; that the position of each individual in this life has been determined for him by his merit or demerit in previous births ; and that, therefore, his place in the social organism is irrevocably fixed and cannot be changed. It may therefore be safely asserted that the root notions of democracy run counter to all the ideas which for thousands of years have formed the common stock of popular

belief in India.

- "3. Closely connected with the doctrine, that each man's place in the present birth has been determined by his actions in the past existences is the institution of caste which has the effect of stereotyping and fixing unalterably the position of each individual in the social scale. Thus a man born a Brahman cannot be other than a Brahman and a man born Pariah can never be other than a Pariah. Equality of opportunity is impossible under such conditions and it is neither recognised nor desired by Indian public opinion.
- " 4. At the apex of the caste pyramid stands the Brahman. This caste, originally representing, at least in Southern India, a racial difference, has established through a long period of time its absolute supremacy over all other castes. The Brahman's claim to supremacy is based not only on race and intellect but also on the injunctions of religion. The sanctity of a Brahman's person and religious merit to be obtained by feeding him, paying for his education, providing money for the marriage of his daughters, endowing him with land, has been an established belief in India for centuries..... Brahmans possessed numberless privileges.....
- " 6. With such predominance in most walks of life, it is not surprising that the Brahman has easily secured control in politics..... No representative of the great Pariah community nor of the Christian community has ever sat, or would ever have a chance of sitting, for one of these constituencies. This experience strongly suggests that the political machine in the future as in the past will be under the control of the Brahmans, unless special measures are resorted to, to secure adequate representation of the other classes.
- " 8. Next to the Brahman *sed longo intervallo* comes the great group of Hindu—castes, some higher, some lower, generally grouped together as non-Brahmans but all equally exclusive and largely antagonistic to one another. It is notorious that if a member of one of these castes attains to a position of influence he fills the offices in his gifts with his fellow castemen. The Standing Orders of the Government recognize this tendency and contain directions to counteract it. The joint report is not ignorant of this, for it says, ' there runs through Indian Society a series of cleavages of religion, race and caste which constantly threaten its solidarity.' These distinctions of castes do not merely threaten the solidarity of Indian Society—they prevent such solidarity from ever existing.
- " 9. Below both the Brahmans and the non-Brahman caste Hindus,

come the low castes or more correctly the persons of no castes who number in this Presidency [*i.e.* Madras] some ten millions of people. For convenience they may be referred to as the Panchama or Pariah community. These people are regarded, not merely as belonging to a lower class, but as conveying by their very presence an actual pollution which requires purificatory religious ceremonies.

" 13. The difficulty of introducing democratic institutions into a society such as this, illiterate, divided into hard and fast castes, with Brahman at the top, with the various Non-Brahman Hindu castes in the middle and the low castes liable to be oppressed impartially by both, at the bottom must be very great. Nor does this difficulty seem to have been sufficiently realised by the writers of the Joint Report. *Surely the first essential of any scheme of reform is that adequate safeguard should be provided for the good government of the inarticulate masses of the population.....*"

19. If this is a correct description of the existing state of affairs then the Minorities of Europe cannot be said to have a better case for obtaining guarantees of their rights than the Depressed classes. *Many people in the world have fallen low by force of circumstances. But having fallen they are free to rise. The Depressed classes on the other hand form a solitary case of a people who have remained fallen because their rise is opposed to the religious notions of the majority of their countrymen.* Much was made before the Muddiman Committee by certain persons of the resolutions passed by the various Legislative Councils, throwing open wells, dispensaries and dharamshalas to members of Depressed classes and of the circulars issued by Ministers of Education requiring children of the Depressed classes to be admitted to schools in common with the rest. But what a mockery such resolutions and circulars are will be apparent to the Commission from the perusal of Annexure A to this statement. It will illustrate the attitude of the majority towards the Depressed classes as evidenced by incidents reported from time to time in the various newspapers in the country (item Nos. 1 and 10). From a perusal of these news items it will be realized that the Depressed classes cannot be employed in the army, navy and the police, because such employment is opposed to the religious notions of the majority (item No. 8). They cannot be admitted in schools, because their entry is opposed to the religious notions of the majority (item No. 12). They cannot avail themselves of Government dispensaries, because Doctors will not let them cause pollution to their persons or to their dispensaries (item Nos. 2 and 5).

They cannot live a cleaner and higher life, because to live above their prescribed station is opposed to the religious notions of the majority (item Nos. 1 and 6). So rigorous is the enforcement of the Social Code against the Depressed classes that any attempt on the part of the Depressed classes to exercise their elementary rights of citizenship only ends in provoking the majority, to practice the worst form of social tyranny known to history (item Nos. 4, 7 and 11). It will be admitted that when society is itself a tyrant, its means of tyrannising are not restricted to the acts which it may do by the hands of its functionaries and it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself. Protection against such tyranny is usually to be found in the Police power of the state. But unfortunately in any struggle in which the Depressed classes are on the one side and the upper class of Hindus on the other, the Police power is always in league with the tyrant majority (item No. 11), for the simple reason that the Depressed classes have no footing whatsoever in the Police or in the Magistracy of the country.

20. In view of this, it is unfair to the Depressed classes to be lulled into the belief that their interests would be safe in the hands of their countrymen, because some Councils have passed resolutions and some of the Ministers have issued circulars favouring the Depressed classes. The Sabha desires to caution the Commission against being lured into forming a better opinion of the Hindu majority from its best instances. Pictures of loving exercise of authority on one side, loving submission to it on the other, of superior wisdom ordering all things for the greatest good of the dependants are very gratifying to read. But such pictures would be to the purpose only if any one from the Depressed Classes denied the existence of good men in the Hindu society. Nobody among the Depressed classes doubts that there would be great and universal happiness under the government of a good Hindu. But the fact is that laws and institutions require to be adapted not to good men but to bad. From this point of view, it is safer to grant the minority the necessary protection by the inclusion of guarantee clauses than to leave it unprotected on the fanciful ground that the tyrant majority has in it a few good men sympathetic to the minority. Such guarantees may be looked down upon by persons other than the Depressed classes as being unnecessary; but from the standpoint of the Depressed classes it is but an essential safeguard. There is such an enormous dread of the Reforms prevalent amongst the Depressed classes that they have from the very beginning

opposed their introduction. So strong was their feeling against the Reforms that in one of the addresses presented to Mr. Mantagu the Depressed classes declared " we shall fight to the last drop of our blood, against any attempt to transfer the seat of authority in this country from the British hands to the so-called high class Hindus. " Nothing can allay such fears as the system of guarantees can do. Government is based upon faith and not upon reason. If the Depressed classes can have no faith in the new constitution it is statesmanship to buy that faith if it can be done so with the concession of guarantees herein demanded.

ANNEXURE A

Item No. I

(From the *Times of India* 8th February 1928)

NO UPLIFT FOR ANTYAJAS

As a landmark in the rapid progress of Indian social reform, a lecture delivered last month by Mahamahopadhyaya Pandit Ananta Krishna Shastri (Professor, Calcutta University) to an audience of Sanatanist (orthodox) Agrawal Marwadis of Bombay in the local Nara-Narayan temple, deserves to be rescued from unmerited oblivion. The subject of the discourse was " The way to uplift the Patits (i.e. ' fallen ' untouchables)", and the chair was graced by Shri Jagadguru Anantacharya Maharaj of the new Vaishnav temple in Bombay. The lecturer proved by citations from the Shastras that the various castes have always been in existence and will continue so to exist till the end of all time. He added that those who talk of uplifting the " Fallen " (Antyajas) are merely talking, and that, in fact, there is no way of uplifting the Antyajas in the sense of getting them admitted into any of the four castes or taking them out of their present social position.

ORTHODOX GENEROSITY

The learned lecturer suggested the only possible way of uplifting the " unupliftable Fallen ", namely, generously restoring to them some of their inalienable professions at present encroached upon by unthinking and unorthodox caste people. " In this 20th century," said the Mahamahopadhyaya, " people on getting up in the morning sit down to clean their costly shoes instead of performing their appointed morning ritual. Next they sit down to shave themselves. And instead of cleaning their teeth in the Swadeshi style (i.e., with twigs of babool, etc.), they sit down to rub powder on their teeth with brushes. By doing all these things they deprive Mochis (cobblers), Hajams (barbers), and tooth-stick sellers of their livelihood. Let

everyone do his duty according to Dharma and rest content. This is the only way to bring about the uplift of the Antyajias,— let those who have deprived these Fallen people of their means of livelihood restore it to them."

Item No. 2

(From the *Times of India* 2nd March 1928)

ANTYAJAS IN INDIA

But, the patriots will protest, all this happened in British India, not in Indian India. Well, we know what happened to Balais only the other day in a big Central India Native State for wearing gold and silver ornaments and absurdly presuming to behave like touchable caste Hindus. And this is what the *Saurashtra* reports about the Antyajias in Baroda territory where the Maharaja himself sympathises so deeply with these unfortunates : " The order to admit Antyaja boys into Gujarati schools is on paper only. In nearly 95 per cent. of schools the Antyaja children are made to sit outside in the cold, heat or rain, and they are made to fetch cowdung, fuel, droppings, dust etc..... In April 1927 an Antyaja went to the Damnagar dispensary for medicine. The Doctor made him wait for twelve hours and then examined him—from a distance and gave him medicine—from a distance. This happened in the presence of an Antyaja member of the Baroda Legislative Assembly." And the *Pratap* of Surat tells us that when a teacher in the Navasari Antyaja Ashram took an ailing boy to the local hospital, the doctor in charge drove them both away with these remarkable words: " Get away ! This is not Gandhi Raj but Baroda Sarkar's Raj ! "

Item No. 3

(From the *Evening News* 11th May 1926)

UNTOUCHABLE IN JAMBUSAR MUNICIPALITY

FOUR HINDUS RESIGN

A sensation has been caused in Jambusar at the election of an untouchable to the Jambusar Municipality. Four Hindu members have resigned, while the rest have promised not to touch the untouchable member and to bathe if ever they touched him.

Item No. 4

(From the *Bombay Chronicle*)

KOLABA DEPRESSED CLASS CONFERENCE

ROWDYISM OF UPPER CLASS HINDUS

The *Times of India* in its issue of the 24th gives a statement of the riot at Mahad. But as that statement is incomplete and fails to give a correct idea of what happened it is necessary to give a complete and correct account of the

riot.

A Conference of the Depressed Classes of the Kolaba District was held at Mahad on the 19th and 20th instants [*i.e.* of March 1927] under the Presidentship of Dr. B. R. Ambedkar, Bar-at-Law. The attendance of the depressed classes was over 2,500 and great enthusiasm prevailed. But the work of the Conference was severely marred by a riot, the responsibility for which rests entirely upon the upper class Hindu residents of the town of Mahad. On the first day of the Conference after the President had delivered his address, several upper class Hindus addressed the Conference assuring the depressed classes that, they were willing to help them in all ways and urging that the depressed classes should not cultivate hatred of the upper class Hindus. In pursuance of this, the Subjects Committee drafted a resolution among others laying down what the upper class Hindus should do for the uplift of the depressed classes. In the Subjects Committee attention was drawn by some people to the fact that there was a great difficulty at Mahad for the depressed classes in obtaining water for drinking purposes and that this difficulty was felt not only by the resident depressed classes of Mahad but also by the depressed classes from villages who resorted to Mahad for private business or for the purposes of Government work. So great was the scarcity that water worth Rs. 15 had to be bought each day to satisfy the needs of the Conference. The Municipality of Mahad had sometime ago passed a resolution declaring the tanks in the city to be open to the public but as it had not placed a board there, people feared to resort to them. The Subjects Committee, therefore, decided after taking the sense of the upper classes who attended the Conference in this matter, that the Conference should go in body to the Chowdar tank and help the depressed classes in establishing their right to take water.

A FALSE RUMOUR

When, therefore, the Conference met on the morning of the 20th, and the first resolution which declared what the upper classes should do for the depressed classes was put before the Conference by members of depressed classes the President requested Messrs. Purushottam Prabhakar Joshi and Govind Narayan Dharya [as representatives of the upper classes] to speak on the resolution. With the exception of one clause in the resolution dealing with inter-marriages they both accepted the resolution. Having thus assured itself that there was general support behind it the Conference when the Session was over, went in body to the said tank. The procession was a most peaceful one and everything passed off quietly. But after about two hours some evil minded leaders of the town raised a false rumour that the depressed classes

were planning to enter the temple of Vireshwar, whereupon a large crowd of riff raffs were collected all armed with bamboo sticks. The crowd soon became aggressive and the whole town at once became a surging mass of rowdies who seemed to be out for the blood of the depressed classes.

TWENTY WOUNDED

The depressed classes were busy in taking their meal before dispersing to their villages. When a large part of them had left the town the rowdies entered the kitchen where the depressed classes were taking their food. There would have been a regular battle between the two forces ; but the depressed classes were held back by their leaders and thus a far more serious riot was averted. The rowdies finding no occasion for provocation began patrolling the main street and assaulting the members of the depressed classes who in stray batches were passing along on their way to their villages and committed trespass in the houses of several depressed class people and gravely assaulted them. In all, the number of wounded, among the depressed classes is supposed to be as large as 20. In this the attitude of the depressed classes was commendable whereas the attitude of many of the upper classes was unworthy. The depressed classes assembled vastly out-numbered the upper classes. But as the object of their leaders was to do everything in a non-violent and absolutely constitutional manner they set their faces against any aggression on the part of the depressed classes. It speaks a great deal in favour of the depressed classes that although the provocation given to them was immense they kept their self-control. The Mahad Conference has shown that the upper classes are not willing to allow the depressed classes to enjoy such elementary civic rights as taking water from public water-courses.

The most reprehensible part of the conduct of the upper caste Hindus in Mahad and Kolaba District was that messages were sent immediately to the different villages aslang the upper class people there to punish the delegates of the Conference as soon as they returned to their respective villages. In obedience to this mandate assaults were committed on a number of Mahars returning from the Conference either before or after they reached their villages where the depressed classes have the disadvantage of being overwhelmingly out-numbered by the upper caste Hindus. The leaders of the depressed classes have appealed to the authorities for protection and the District Officials including the D. S. P. are making enquiries on the spot. It must, however, be stated that if the Resident Magistrate had not allowed two precious hours to pass without doing anything the riot would have probably been averted.

Item No. 5

(From *Young India* 5th May 1927)

MAN'S INHUMANITY TO MAN

(By *M. K. Gandhi*)

In another column will be seen an extract from *Navajivan* of a most disgraceful case of calculated inhumanity of a medical man towards the dying wife of a member of the suppressed class in a Kathiawad village. Sjt. Amritlal Thakkar who is responsible for giving the details of the case has withheld the names of the place and parties for fear of the poor suppressed class schoolmaster being further molested by the medical man. I wish, however, that the names will be disclosed. Time must come when the suppressed class people will have to be encouraged by us to dare to suffer further hardships and tyranny. Their sufferings are already too great for any further sufferings to be really felt. Public opinion cannot be roused over grievances that cannot be verified and traced to their sources. I do not know the rules of the Medical Council in Bombay. I know that in other places a medical practitioner, who refused to attend before his fees were paid, would be answerable to the Council and would be liable to have his name removed from the Council's list and be otherwise subject to disciplinary action. Fees are no doubt exactable; but proper attendance upon patients is the first duty of a medical practitioner. The real inhumanity, however, if the facts stated are true, consists in the practitioner refusing to enter the untouchable's quarters, refusing himself to see the patient, and refusing himself to apply the thermometer. And if the doctrine of untouchability can ever be applied in any circumstances, it is certainly applicable to this member of the profession which he has disgraced. But I am hoping that there is some exaggeration in the statement made by Sjt. Thakkar's correspondent and, if there is none, that the medical practitioner will himself come forth and make ample amends to the society which he has so outraged by his inhuman conduct.

READ, REFLECT AND WEEP

There is a school for the children of the suppressed classes in a village in Kathiawad. The teacher is a cultured, patriotic man belonging to the *Dhedh* or Weaver (untouchable) class. He owes his education to the compulsory education policy of His Highness the Gayakwad and had been doing his little bit for the amelioration of his community. He is a man of cleanly habits and refined manners, so that no one can recognise him as belonging to the untouchable class. But because he had the fortune or misfortune of teaching the children of his own community in a conservative village in Kathiawad, everyone regards him as an untouchable. But unmindful of that he had been

silently working away. There are some moments, however, when the most patient man living under intolerable conditions may give vent to agony and indignation, which are evident in the following letters from the schoolmaster. Every little sentence in it is surcharged with pathos. I have purposely omitted the names of the village and all the people mentioned in the letter, lest the schoolmaster should come into further trouble.

Namaskar. My wife was delivered of a child on the 5th instant. On the 7th she was taken ill, had motions, lost her speech, had hard breathing and swelling on the chest, and her ribs were aching painfully. I want to call in Dr.— but he said ' I will not come to the untouchable's quarters. I will not examine her either.' Then I approached the Nagarsheth—and the Garsia Durbar—, and requested them to use their good offices for me. They came and on the Nagarsheth standing surety for me for the payment of Rs. 2 as the doctor's fee, and on condition that the patient would be brought outside the untouchable's quarters, he consented to come. He came, we took out the woman who had a baby only two days old. Then the doctor gave his thermometer to a Musalman who gave it to me. I applied the thermometer and then returned it to the Musalman who gave it to the doctor. It was about eight O'clock, and having inspected the thermometer in the light of a lamp, he said: ' She has pneumonia and suffocation '. After this the doctor left and sent medicine. I got linseed from the market and we are applying linseed poultice and giving her the medicine. The doctor would not condescend to examine her, simply looked at her from a distance. Of course I gave Rs. 2 for his fee. It is a serious illness. Everything is in His hands !

II

The light in my life has gone out. She passed away at 2 O'clock this afternoon.

Comment is needless. What shall one say about the inhumanity of the doctor who being an educated man refused to apply the thermometer except through the medium of a Musalman to purify it, and who treated an ailing woman lying in for two days worse than a dog or a cat? What shall one say of the society that tolerates this inhumanity ? One can but reflect and weep.

A. V. THAKKAR

Item No. 6

(From the *Times of India* dated 1-4-28 and 10-2-28)

TYRANNY OF HINDUS
RULES FOR BALAIS

Mode of life laid down

Last May high caste Hindus, viz., Kalotas, Rajputs, and Brahmins including the patels and patwaris of villages Kanaria, Bicholee Hafsi, Bicholi Mardana, and of about 15 other villages in the Indore district informed the Balais of their respective villages that if they wished to live among them, they must conform to the following rules :—1. Balais must not wear gold lace bordered pugrees; 2. They must not wear dhoties with coloured or fancy borders; 3. They must convey intimation of the death of any Hindu to relatives of deceased—no matter how far away these relatives may be living; 4. In all Hindu marriages, the Balais must play music before the processions, and during the marriages; 5. The Balai women must not wear gold or silver ornaments ; they must not wear fancy gowns, or jackets ;

6. Balai women must attend all cases of confinement of Hindu women ;

7. The Balais must render services without demanding remuneration, and must accept whatever a Hindu is pleased to give; 8. If the Balais do not agree to abide by these terms, they must clear out of the villages.

BALAI REFUSE COMPLIANCE

The Balais refused to comply; and the Hindu element proceeded against them. Balais were not allowed to get water from the village wells; they were not allowed to let go their cattle to graze. Balais were prohibited from passing through land owned by a Hindu ; so that if the field of a Balai was surrounded by fields owned by Hindus, the Balai could have no access to his own field. The Hindus also let their cattle graze down the fields of Balais. The Balais submitted petitions to the Darbar against these persecutions ; but as they could get no timely relief, and the oppression continued hundreds of Balais, with their wives and children, were obliged to abandon their homes in which their ancestors lived for generations, and migrate to adjoining States, viz., to villages in Dhar, Dewas, Bagli, Bhopal, Gwalior, and other States.

COMPULSORY AGREEMENT

Only a few days ago the Hindus of Reoti village barely 7 miles to North of Indore City ordered the Balais to sign a stamped agreement in accordance with the rules framed against the Balais by the Hindus of other villages. The Balais refused to comply. It is alleged that some of them were beaten by the Hindus ; and one Balai was fastened to a post, and was told that he would be let go on agreeing to sign the agreement. He signed the agreement; and was released. Some Balais from this village ran up to the Prime Minister, the next day, i.e., on the 20th December, and made a complaint about the ill treatment they have received from the Hindu villagers of Reoti. They were sent to the Subha of the District. This Officer, with the help of the Police, made inquiries at the village, and recommended that action be taken against the Hindus

under Sections 342 and 147 and against the Balais under Section 147, Indian Penal Code.

BALAIS LEAVE VILLAGES
CASTE TYRANNY
IGNORANCE OF LAW, A HANDICAP

There has been no improvement in the treatment of the Balais by the Hindu residents of certain villages. Balais, it has already been reported, have been ill treated by the higher caste Hindus. From the Depalpur Pergana alone, Indore District a large number of Balais have had to leave their homes and find shelter in adjoining States. The villages from which Balais have been forced to clear out are Badoli, Ahirkheral, Piploda, Moor-khera, Pamalpur, Karoda, Chatwada, Newri Pan, Sanauda, Ajnoti, Khatedi, and Sanavda. Pamalpur village has been altogether deserted, and not a Balai, man, woman, or child, is to be found there. Nanda Balai, a resident of one of the above villages, it is alleged, was severely beaten by the Hindus of the village. In one village, the report goes, the Hindus burnt down all the dwellings of the Balais but the offenders have not yet been traced.

Balais are ignorant village folk, who are ignorant of legal procedure and think that if a petition is sent to the *Sirkar* all that is required will be done for them. They have not the knowledge, or the means and practice to pursue a complaint to its end; and, as they, it is said in some cases, failed to attend or produce witnesses in support of their allegations, the Magistrate had no alternative but to dismiss their complaint.

Item No. 7

(From the *Bombay Chronicle* 25th February 1928)

ORTHODOXY RUN MAD
ALLEGED BARBAROUS TREATMENT OF " UNTOUCHABLES "
CRIME OF BEING MAJHARS

Mr. Keshavaji Ranchhodji Vaghela from Ahmedabad has informed Dr. B. R. Ambedkar, President, Bahishkrit Hitkarini Sabha as follows :

One Bapoorao Laxman and his brother Kaurao have been residents of Ahmedabad during the last six years. They used to mix with some people from the Deccan belonging to Maratha caste, Kaurao's two sons viz. Damoo and Laxuman used to take part in the Bhajan parties of the Marathas. The latter, however, recently came to know that the brothers Damoo and Laxuman were Mahars by caste and in order to ascertain this, two Mahars employed on the Parcel Train between Surat and Ahmedabad were specially called to identify Damoo and Laxuman. After it was ascertained that Damoo and Laxuman were Mahars they were called at a Bhajan party at Kalupur, Bhanderi Pole, at midnight on the 11th instant. Asked as to what caste they

belonged to, Damoo and Laxurnan replied that they were Somvanshis. This reply enraged the Marathas who freely abused them for having defiled their persons and places. The Mahar brothers were also assaulted by the Marathas. One of the brothers had a gold ring on his person. It was forcibly taken away from him and sold for Rs. 11. Out of this amount Rs. 6 was paid to the Mahars who had been called from Surat to identify the brothers. Damoo and Laxuman entreated the Marathas to allow them to return to their homes, the latter refused to do so unless a fine Rs. 500 was paid. On the Mahar brothers pleading their inability to pay such a heavy sum, one of the Marathas suggested that the Mahar brothers should be fined only Rs. 125. But then one of the Marathas opposed the proposal for fine saying that they should not be satisfied with fine, but should punish the Mahars severely for their crime of concealing their caste. Having decided upon the course. the Mahar brothers were detained and at about 9 O'clock in the morning they were subjected to barbarous indignities. Their mustaches in the left side and eyebrows on the right side were shaved, their bodies besmeared with soot mixed in oil and also with dirt, garlands made of old shoes were put around their necks, and one of them was asked to hold a broom in his hand and the other to hold a placard on which it was written that the punishment was meted out to the culprits for venturing to touch high caste people. The Mahar brothers were taken in procession consisting of about 75 people, a drum being beaten in the front.

A complaint has been lodged with the Police by the said two Mahar brothers. The accused in their statement have admitted that Damoo and Laxuman were treated in the alleged manner, but pleaded that. the complainants had willingly agreed to undergo the punishment. Obviously Damoo and Laxuman were helpless when they were abused, assaulted and threatened with severe punishment and actually subjected to barbarous indignities. This case has created a great sensation among the people belonging to the so-called untouchables castes and efforts are being made to give proper legal aid to the complainants.

Item No. 8

(Bombay Legislative Council Debates 1927, Vol. XX)

(Part XVI, p. 1373)

Police : Enlistment of Mahars

Dr. B. R. Ambedkar: Will Government be pleased to state whether there is any rule prohibiting the enlistment of the Depressed classes in the police constabulary force of the Presidency ?

The Honourable Mr. J. E. B. Hotson : There is no such rule.

Dr. B. R. Ambedkar: Will the Honourable Member please inform me why the

Commissioner of Police for the city of Bombay refuses to appoint depressed class members in the police constabulary if there is no restriction ?

The Honourable Mr. J. E. B. Hotson : This opens up a very large subject, I can only say that there are practical difficulties which are known to every member of this House, and which stand in the way of the more extensive enlistment of these classes in the police. There is no prohibition against it.

*N.B.—*The practical difficulties referred to by Mr. Hotson are evidently difficulties arising out of untouchability.

Item No. 9

(Bombay Legislative Council Debates 1928, Vol. XXII)

(Part II, pp. 96-97)

Clerks in Government Service

Mr. R. S. Asarale: Will Government be pleased to state the total number in the clerical ranks in the offices of the various departments of [Government] ?

The Honourable Sir Chunilal Mehta: A statement giving the requisite information is placed on the Council Table :

| | Marathas and allied castes | Muham madans | Depres -sed classes | Advan- ced Hindus | Parsis | Chris- tians and Jews | Others | Total |
|---|----------------------------|--------------|---------------------|-------------------|--------|-----------------------|--------|-------|
| I The Secre-tariat. | 31 | 11 | | 268 | 38 | 81 | 11 | 440 |
| II P. W.D. | 6 | | | 64 | 8 | 10 | 3 | 91 |
| III Collector; of Bombay | 3 | 8 | | 28 | | 4 | 1 | 44 |
| IV Commissioner of Excise. | 1 | | | 12 | 5 | | | 18 |
| V Small Causes Court. | 9 | 7 | | 58 | 1 | 5 | 8 | 97 |
| VI High Court. | 4 | 15 | | 125 | 22 | 23 | 9 | 198 |
| VII Bombay Police Courts. | 7 | 4 | | 32 | | 4 | | 47 |
| VIII Com-missioner i of Police, Bombay. | | 7 | | 59 | | 4 | | 87 |

Item No. 10

(From the *Times of India* 30th May 1928)

THROUGH INDIAN EYES

" CHAMARDAS AND MAHARDAS"

How sincere the political lions are when they roar about the disabilities and

hardships of the Untouchables was clearly brought out at the Maharashtra Conference when the question of the removal of untouchability was adroitly shelved. Among the half dozen or so of Protestants against this trick were men belonging to the *Swarajya*. One of them wrote in that paper an outspoken article, exposing the general Hindu outlook on the thorny problem, which throws much light on what the Maharashtra Conference did. " While speaking to me the other day," says the writer about the Samata Sangha (Social Equality Society) of Poona, " a friend of mine said : ' Because people like you join them, these Chambhardas and Mahardas (contemptible Chamars and Mahars) become isolent '..... From this utterance one can realise what a terrible hatred of the Untouchable classes still exists among the upper classes."

RESOLUTIONS AND ACTS

The sad reformer continues: " Mahatmaji issued a proclamation that untouchability was a blot on Hindu dharma; Swamy Shraddhanand and Lala Lajpatrai have said all along that we shall never be able to win Swaraj if untouchability is not removed from Hindu Society; during the last seven years resolutions for its removal are being adopted by the Congress; but what is the actual result of all these activities ? Utterances like the one given above are still coming out of the mouths of highly educated persons! We pass resolutions in the Congress and the Hindu Sabha advocating temple entry of Untouchables and urging that public tanks, wells, etc., should be thrown open to them. But when the time for putting them into practice comes, we condemn the Untouchables, nay, we assault them and then proceed legally against them and send them to jail."

Item No. 11

RESOLUTIONS PASSED AT THE DEPRESSED CLASSES CONFERENCE HELD AT DAPOLI (District Ratnagiri)

1. (a) This Conference express indignation at the campaign of persecution carried on by the so-called high caste Hindus in this district against the depressed classes for the refusal on the latter's part to eat the meat of dead animals.
- (b) This Conference is extremely grieved to find that the Police officers and Magistrates in the district systematically abuse the depressed class people instead of giving them protection against the tyranny and injustice to which they are being subjected by the so-called high caste Hindus through impounding the cattle of the former, committing assaults on them and making it impossible for them to obtain the necessaries of life in the bazars by observing a strict social boycott against them.

- (c) This Conference appeals to the Government to take steps for having the usual *baluta* remuneration paid to the Watandar Mahars who have been deprived of the same by the high caste Hindu villagers owing to the former's refusal to eat the carrion and carry dead animals, beg alms and do other unclean things.
2. (a) Having come to know that in a number of villages it is the Police Patel who countenances the campaign of persecution against the depressed class people, this Conference requests the Government to take proper steps against such Police Patels.
- (b) This Conference requests the Government to appoint in each district a special Police Inspector from amongst the depressed classes for the protection of these classes and to admit recruits from these classes in the police service.
- (c) This Conference requests the Government immediately to quarter punitive police under the command of military pensioners belonging to the depressed classes, at the villages of Vadval, Matven, Tulsi, Degaon, Mandan-gad. Satara etc. at the expense of the so-called high caste Hindus residing in these villages in view of the fact that owing to harassment and social boycott and open assaults it has become impossible for the depressed classes to live in these villages.
3. This Conference is emphatically of the opinion that no further instalment of self-government be given to India except with proper safeguard for the interests of the depressed classes.

Item No. 12

(From the *Bombay Chronicle* dated 20-10-27)

MUNICIPAL SCHOOLS [IN THE CITY OF BOMBAY]

The Schools Committee has made itself ridiculous by taking fright at the little question of drinking "lotas" (pots). It seems that, in spite of the Corporation's resolution that there should be no caste discrimination in the Municipal Schools, "depressed" class children are given separate pots for drinking water. A sub-committee of the Schools Committee recommended that all children should be given the same pots. But the members of the Schools Committee gravely cogitated over this recommendation and entertained all sorts of fears. Some said that the change would be resented by the caste Hindus; evidently, the resentment of the "low" caste Hindus does not count for much. Prof. V. G. Rao said that it was a revolutionary change and Mr. D. G. Dalvi, himself a well-known social reformer, added to these fears a legal one, that some parents might file a suit against the

Committee. Ultimately the Schools Committee referred the question back to the sub-committee, which was tantamount to saying that the latter's recommendation was not acceptable to them. A

CALCULATED INSULT

The fears mentioned above are absurd, as every boy is expected to wash a pot well before using it, on sanitary and—if he is so minded—on caste grounds. That a pot once used by an "untouchable" boy becomes itself untouchable or unusable by the "high" caste Hindus in spite of its being washed clean, is a calculated insult to the unfortunate "depressed" classes, which we certainly did not expect the Schools Committee to countenance. Mr. Dalvi stated that in view of compulsory education in some Wards parents might file a suit against the Committee "for enforcing an obligation which was by no means a legal one". But nobody is under an obligation to use the common pots in the schools. Those parents who are so over scrupulous may give their own pots to their children and thereby protect their "religion". As for the "depressed" classes the insult to them remains, whether they bring their own pots or betake themselves to other schools where better notions of justice prevail.

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